

1 **REMARKS**

2 Amendments to the Specification:

3 The specification has been amended as indicated above by deleting a single
4 occurrence of the term, "voice recognition." No new matter has been added.

5 Amendments to the Claims:

6 The claims have been amended as indicated in the above detailed listing of
7 claims. Specifically:

8 Claim 1 has been amended to include the elements and/or limitations of claim
9 4, as well as additional limitations and/or elements, which find support at least in
10 figures 2, 3 and 4 of the drawings, as well as in the written specification at page 6,
11 lines 9-16, and at page 8, lines 12-21, and at page 9, lines 1-11, and at page 14,
lines 8-16;

12 Claim 4 has been canceled because it was made redundant in view of the
13 amendments to claim 1;

14 Claims 5, 9, and 10 have each been amended to change the dependency of
15 each claim from claim 4 to claim 1;

16 Claims 11, 15, and 17 have each been amended to include additional
17 elements and/or limitations, which find support at least in figures 2, 3 and 4 of the
18 drawings, as well as in the written specification at page 6, lines 9-16, and at page 8,
19 lines 12-21, and at page 9, lines 1-11, and at page 14, lines 8-16; and,

20 Claim 16 has been amended to correct a typographical error. Specifically
21 claim 16 has been amended to change its dependency from claim 14 to claim 15 to
22 reflect the fact that claim 16 was originally intended to depend from claim 15.

23 No new matter has been added.

24 Objection to the Disclosure:

25 The disclosure has been objected to because the term "voice recognition" is
misused for what nowadays is called "speech recognition" in the speech
recognition art.

The Applicants have searched the specification and have found only a single
occurrence of the term "voice recognition" at page 12, line 10 of the specification.
The Applicants have amended the specification as indicated above to delete the

1 term "voice recognition." The specification, as now amended, no longer contains the
2 term "voice recognition."

3 Accordingly, the Applicants respectfully request that the objection to the
4 disclosure be withdrawn.

5 Rejection of Claims Under 35 U.S.C. 112:

6 Claims 1-20 have been rejected under 35 U.S.C. 112, second paragraph
7 because of indefinite claims language. Specifically, the Examiner states,

8 *Where applicant acts as his or her own lexicographer to specifically*
9 *define a term of a claim contrary to its ordinary meaning, the written*
10 *description must clearly redefine the term and set forth the uncommon*
11 *definition so as to put one reasonably skilled in the art on notice that*
12 *the applicant intended to so redefine that claim term.... The term*
13 *"voice" in claims 1-20 is used by the claim to mean "speech", while the*
14 *accepted meaning is "speech." The term is indefinite because the*
15 *specification does not clearly redefine the terms. The term "voice*
16 *recognition" is misused for what nowadays is called –speech*
17 *recognition—in the speech signal processing art. While "voice*
18 *recognition" and "speech recognition" were both once used*
19 *interchangeably to refer to spoken word recognition, nowadays these*
20 *two terms are distinguished. The term "voice recognition" now denotes*
21 *identification of who is doing the speaking (class 704/246), while*
22 *"speech recognition" (or "word recognition") denotes identification of*
23 *what is being said (class 704/251). So, appropriate correction to the*
24 *proper terms of art is required.*

25 The Applicants do not argue that the meaning of the term, "voice recognition"
can be substantially different than the meaning of the term, "speech recognition" to
those skilled in the art. However, the Applicants note that neither of those terms
appear anywhere in the claims, nor in the detailed description. Therefore, the issue
of any confusion in meaning between the terms "voice recognition" and "speech
recognition" is irrelevant in regard to indefinite claim language with respect to the
Applicants' claims.

1 The Applicants do not argue with the Examiner's characterization of the law in
2 regard to definiteness of claim language, as set forth above. That is, the Applicants
3 agree that if the Applicants were to act as their own lexicographer to specifically
4 define a term of a claim contrary to its ordinary meaning, the written description
5 must clearly redefine the claim term and set forth the uncommon definition so as to
6 put one reasonably skilled in the art on notice that the Applicants intended to so
7 redefine that claim term.

8 However, the Applicants have not used (and the Examiner has not shown use
9 of) any claim term in a manner that is contrary to its ordinary meaning and/or which
10 has an uncommon definition.

11 Specifically, the Applicants note that the terms, "voice format" and "text
12 format" are used in the claims to differentiate between two different types of signal
13 formats, wherein one signal format is representative of the sound of a person's
14 voice, and the other signal format is representative of text. Moreover, the Applicants
15 have specifically defined the term, "voice format" to mean "a form of data or signals
16 which represents audible spoken words." (Applicants' specification at page 10, line
17 22 through page 11, line 1.)

18 The Applicants contend that: 1) the term "voice format" is not used in a
19 manner contrary to its ordinary meaning, and/or so as to have an uncommon
20 definition; 2) even if the Applicants are using the term "voice format" in a manner
21 contrary to its ordinary meaning (which they are not), the Applicants have specifically
22 defined that term in the specification, as noted above; and, 3) therefore, any person
23 reasonably skilled in the art would clearly understand the meaning of the term "voice
24 format" as used in the claims, especially in view of the Applicants' disclosure.

25 Accordingly, for at least the reasons set forth above, the Applicants contend
that the claim language is not indefinite, and therefore respectfully request that the
rejection of claims 1-20 under 35 U.S.C. 112, second paragraph be withdrawn.

Rejection of Claims Under 35 U.S.C. 102:

Claims 1-8 and 11-20 have been rejected under 35 U.S.C. 102(e) as being
anticipated by U.S. Patent 6,535,848 to Ortega et al. (hereinafter, "Ortega").

The Applicants note that the accepted standard for an anticipation rejection
provides that "[t]he identical invention must be shown in as complete detail as is

1 contained in the ... claim.” (MPEP 2131.) In other words, “[a] claim is anticipated
2 only if each and every element as set forth in the claim is found, either expressly or
3 inherently described, in a single prior art reference.” (Id.)

4 The Applicants contend that none of the claims are anticipated by Ortega
5 because all of the claims contain at least one element and/or limitation that is not
6 found, either expressly or inherently described, in Ortega.

7 In regard to claim 1, that claim has been amended to now include at least the
8 following salient elements and/or limitations:

9 *visually displaying, substantially in real time, the first signal as first portions of*
10 *text in response to receiving the first signal; and,*

11 *visually displaying, substantially in real time, the second signal as second*
12 *portions of text in response to receiving the second signal.*

13 At least these elements and/or limitations are not disclosed by Ortega.
14 Rather, Ortega discloses, at most, a method and/or apparatus that receives a voice
15 signal originating from a first person, receives a voice signal originating from a
16 second person, converts the voice signal of the first person into a text signal,
17 converts the voice signal of the second person into a text signal, stores the signal of
18 the first person until the first person is finished speaking, stores the signal of the
19 second person until the second person is finished speaking, and then transcribes the
20 signals of the first person and the second person into a single file.

21 Specifically, “[d]uring operations, the transcription system first records speech
22 using multiple recording devices. Data files that include the recorded speech in
23 digital or analog form are then accessed by the transcription computer. The
24 transcription computer then transcribes the multiple files, creating a single file with all
25 the transcribed speech information from the multiple files.” (Ortega, col. 5, lines
36-44.)

In a more detailed description, Ortega explains as follows:

*The method begins, in step 502, when the recording device is
started. The recording device could be started by the individual
whose speech is being recorded, or could be started by a person
operating a control panel remote from the recording device.... In any
event, once the recording device is started, the device’s microphone
begins receiving input acoustic speech signals, in step 506, and*

1 transforming those signals into analog electrical signals.... When a
2 speech onset is detected, a time stamp identifying the time of the
3 speech onset is stored, in step 514. As will be described in more
4 detail, below, this time stamp will be useful during the transcription
5 phase (FIG. 10) to identify when a particular speaker has begun
6 speaking a phrase. The speech is also stored, in step 516 in a file
7 associated with that speaker.... A determination is then made, in
8 step 518, whether the recording device has been stopped. If so, then
9 the file containing the recorded speech and associated time stamps
10 is saved, in step 520, and the method ends.... Multiple recording
11 devices operating simultaneously will create multiple files of digitized
12 phrases in the manner described in conjunction with FIG. 5.... In any
13 event, each of the multiple files includes data representing the
14 phrases uttered by a particular individual, and the time stamps
15 associated with the onsets of those phrases. The multiple files are
16 then transcribed, in accordance with a preferred embodiment, into a
17 single file which includes a sequential listing of textual
18 representations of the phrases uttered by the multiple
19 speakers....FIG. 6 illustrates a flowchart of a method for initiating
20 transcription of multiple digital speech files in accordance with a
21 preferred embodiment of the present invention. The method
22 begins...when the files to be transcribed are selected.... In a
23 preferred embodiment, a graphical user interface, or display screen,
24 is provided by the transcription computer to aid in the selection of
25 files to be transcribed. FIG. 7 illustrates an exemplary display screen
used for selection of digital files to be transcribed in accordance with
a preferred embodiment of the present invention.... In order to select
particular files, the user can use the mouse to check boxes 708 next
to the names of those files the user wishes to have transcribed.
(Ortega, col. 5, line 50 through col. 7, line 44.)

As is seen from the above, Ortega does not disclose all of the elements and/or limitations of claim 1. Thus, claim 1 is not anticipated by Ortega.

1 In regard to claims 2, 3, and 5-8, those claims depend from claim 1, and thus
2 also require the elements and/or limitations required by claim 1. Therefore, claims 2,
3 3, and 5-8 are not anticipated by Ortega for the reasons set forth above with respect
4 to claim 1.

5 Accordingly, the Applicants respectfully request that the rejection of claims
6 1-3, and 5-8 be withdrawn and that the claims be allowed.

7 In regard to claim 4, that claim has been canceled, and the rejection of that
8 claim is therefore moot.

9 In regard to claim 11, that claim has been amended as indicated in the above
10 detailed listing of claims so as to now require at least the following salient elements
11 and/or limitations:

12 *a program comprising a series of computer-executable steps which can be*
13 *executed by the controller to:*

14 *automatically convert the first signal directly from voice format into text*
15 *format in response to receiving the first signal and to automatically convert the*
16 *second signal from voice format into text format in response to receiving the*
17 *second signal; and,*

18 *cause the visual display device to display, in substantially real time, the*
19 *first signal and the second signal in text format in response to converting the*
20 *first and second signals into text format.*

21 At least these elements and/or limitations required by claim 11 are not
22 disclosed by Ortega, as is discussed above with respect to claim 1. Therefore, claim
23 11 is not anticipated by Ortega.

24 In regard to claims 12-14, those claims depend from claim 11, and thus also
25 require the elements and/or limitations required by claim 11. Therefore, claims
12-14 are not anticipated by Ortega for at least the reasons set forth above with
respect to claim 11.

Accordingly, the Applicants respectfully request that the rejection of claims
11-14 be withdrawn and that the claims be allowed.

In regard to claim 15, that claim has been amended as indicated in the above
detailed listing of claims so as to now require at least the following salient elements
and/or limitations:

1 A computer-readable storage medium for use in a computer system
2 having a controller configured to execute computer-executable instructions,
3 the medium holding computer-executable instructions to:

4 read a first voice signal in voice format;

5 automatically convert the first signal from voice format into text format
6 in response to reading the first signal;

7 visually display, in substantially real time, the first signal in text format
8 in response to converting the first signal;

9 read a second signal in voice format in response to reading the first
10 signal;

11 automatically convert the second signal from voice format into text
12 format;

13 visually display, in substantially real time, the second signal in text format in
14 response to converting the first signal.

15 At least these elements and/or limitations required by claim 15 are not
16 disclosed by Ortega, as is discussed above with respect to claim 1. Therefore, claim
17 15 is not anticipated by Ortega.

18 In regard to claim 16, that claim has been amended to depend from claim 15.
19 Thus, claim 16 now also requires the elements and/or limitations required by claim
20 15. Therefore, claim 16 is not anticipated by Ortega for at least the reasons set forth
21 above with respect to claim 15.

22 Accordingly, the Applicants respectfully request that the rejection of claims 15
23 and 16 be withdrawn and that the claims be allowed.

24 In regard to claim 17, that claim has been amended as indicated in the above
25 detailed listing of claims to now require at least the following salient elements and/or
26 limitations:

27 a controller configured to automatically convert the first and second signals
28 from voice format into text format and to generate, in substantially real time, human-
29 readable text substantially representative of the first and second signals; and,

30 a visual display device configured to visually display, in substantially real time,
31 the human-readable text to the support technician.

1 At least these elements and/or limitations required by claim 17 are not
2 disclosed by Ortega, as is discussed above with respect to claim 1. Therefore, claim
3 17 is not anticipated by Ortega.

4 In regard to claims 18-20, those claims depend from claim 17. Thus, claims
5 18-20 also require the elements and/or limitations required by claim 17. Therefore,
6 claims 18-20 are not anticipated by Ortega for at least the reasons set forth above
with respect to claim 17.

7 Accordingly, the Applicants respectfully request that the rejection of claims
8 17-20 be withdrawn and that the claims be allowed.

9 Rejection of Claims Under 35 U.S.C. 103:

10 Claims 9 and 10 have been rejected as being unpatentable over Ortega as
11 applied to claim 1, and further in view of well-known prior art.

12 The Applicants make note of the following:

- 13 1) Claims 9 and 10 depend from claim 1;
- 14 2) Claim 1 is not anticipated by Ortega for the reasons set forth above;
- 15 3) Claim 1 has not been rejected under 35 U.S.C. 103;
- 16 4) "If an independent claim is nonobvious under 35 U.S.C. 103, then any claim
depending therefrom is nonobvious." (MPEP 2143.03.)

17 Therefore, claims 9 and 10 are nonobvious because claim 1 is nonobvious, and
18 claims 9 and 10 depend from claim 1.

19 Accordingly, the Applicants respectfully request that the rejections of claims 9
20 and 10 be withdrawn and that the claims be allowed.

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SUMMARY

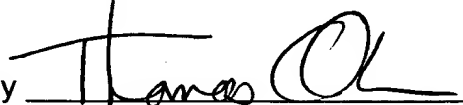
The Applicants believe this communication constitutes a full and complete response to the Office action mailed 08/10/2004. The Applicants further believe that claims 1-3 and 5-20 are allowable, and therefore request timely allowance of those claims.

The Examiner is respectfully requested to contact the below-signed attorney if the Examiner believes this will facilitate prosecution toward allowance of the claims.

Respectfully submitted,
Jeffrey Balluff and Robert Seseek,
Applicants

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By



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